

BEFORE THE STATE OF ALASKA

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the matter of:	)	
STATE OF ALASKA, DEPARTMENT OF	)	
ENVIRONMENTAL CONSERVATION,	)	COMPLIANCE ORDER
	)	BY CONSENT
Complainant,	)	
	)	
vs.	)	
	)	
SILVER BAY SEAFOODS-NAKNEK, LLC,	)	
an Alaska limited liability company,	)	
	)	
Respondent.	)	
	)	

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ADEC File No. 2616.54.013

**A COPY OF THIS ORDER TOGETHER WITH A COPY OF THE SEAFOOD  
GENERAL PERMIT REFERRED TO HEREIN (AK-G52-0000) MUST BE KEPT AT  
THE FACILITY AND MADE AVAILABLE TO ADEC OR EPA UPON REQUEST**

## COMPLIANCE ORDER BY CONSENT

WHEREAS, Silver Bay Seafoods-Naknek, LLC ("Silver Bay" or "Respondent") and the Alaska Department of Environmental Conservation ("ADEC") wish to resolve potential compliance issues and avoid enforcement proceedings which would result from discharges into waters of the State of Alaska ("State") without a permit from Respondent's seafood processing facility in Naknek, Alaska, beginning on or after April 15, 2014, based upon the terms and conditions set forth herein,

NOW, THEREFORE, the parties agree as follows:

### I. JURISDICTION

1. This Order is entered into under the authority of ADEC pursuant to Alaska Statutes ("AS") Title 44 and 46, including AS 44.46.020, AS 46.03.020, AS 46.03.760(e), AS 46.03.765, and AS 46.03.850; Title 18 of the Alaska Administrative Code ("AAC"), including 18 AAC 83 and 95.160; and the settlement authority of the Attorney General under AS 44.23.020.

### II. RECITALS

2. Respondent operates a shore-based seafood processing facility located at Olga St., Naknek, Alaska (the "Facility"), and its activities will result in the "discharge of a pollutant" as that term is defined in applicable state and federal law.

3. Respondent's operations fall within the scope of activities for a shore-based seafood processing facility as defined in the ADEC Alaska Pollutant Discharge Elimination System (APDES) Permit No. AK-G52-0000, which expired July 27, 2006, and has been administratively extended (the "Seafood General Permit" or "AK-G52-0000").

4. On December 6, 2012, Respondent submitted a Notice of Intent ("NOI") to ADEC to obtain authorization to discharge seafood processing wastewater and concomitant solid waste under the expired Seafood General Permit.

5. Under ordinary circumstances, and but for the expiration of the Seafood General Permit, Respondent's facility and operations would presumably have qualified for coverage under the Seafood General Permit. However, extended coverage under the Seafood General Permit only applies to those permittees who were covered under the permit at the time of expiration and had submitted a timely notice to reapply for coverage under the permit, which does not include Respondent.

6. ADEC is currently in the process of drafting an Onshore Seafood Processing Wastewater General Permit (AKG521000) under the APDES Program, which will replace the administratively extended Seafood General Permit. The APDES permit (AKG521000) is expected to be issued in or about May/June 2014.



### III. DISCHARGE AUTHORIZATION AND LIMITATIONS

#### 7. Discharge Authorization and Limitations

- a. Period of Authorization and Termination. Subject to the terms, conditions, and limitations of this Order, Respondent is authorized to discharge from the Facility seafood processing wastes and the concomitant wastes set out in Part II of the Seafood General Permit to waters of the State, except as otherwise excluded under such permit, beginning from April 15, 2014 until December 31, 2014, or until Respondent secures coverage under an APDES general permit for shore-based seafood processing, whichever first occurs.
- b. Outfall Terminus. All seafood processing waste and concomitant wastes authorized under this Order shall be routed through Respondent's waste conveyance system (e.g., grinders) at the Facility through a single outfall, as shown on the map or diagram attached as Appendix A.
- c. Use of In-Floor Screens in Lieu of Grinders Prohibited. The use of in-floor screens instead of grinders or a grinding system to manage seafood processing waste at the Facility is prohibited.
- d. No Transfers. The authorization to discharge provided by this Order is not transferable.
- e. No Property Rights. The issuance of this Order does not convey any property rights or any exclusive privileges of any sort to Respondent, nor does it authorize any injury to persons or property or invasion of other private rights, nor any infringement of federal, tribal, state, or local laws or regulations by Respondent.
- f. Limitations on Discharge. Except as specifically set forth herein or otherwise provided by the Seafood General Permit, Respondent's discharge of pollutants at the Facility into waters of the State is prohibited.

#### 8. Applicability of Seafood General Permit/Special Conditions

- a. Duty to Comply. With respect to any and all seafood processing operations at the Facility during the period of authorized discharges referred to in Paragraph 7.a., and unless otherwise provided herein, Respondent shall fully comply at all times with the terms and conditions of (1) the Seafood General Permit and (2) this Order. To the extent that any of the specific requirements, terms, conditions, or limitations of this Order differ from those applicable to a shore-based facility under the Seafood General Permit, the specific requirements, terms, conditions, and/or limitations of this Order shall take priority over those in the Seafood General Permit.
- b. Effect of Noncompliance. Any noncompliance of this Order constitutes grounds for an enforcement action by ADEC, for revocation, modification, or termination by ADEC of the discharge authorization provided in this Order, and may subject Respondent to

civil, administrative, or criminal penalties under applicable state and federal law.

c. Wastewater Plan Approval. Pursuant to 18 AAC 72.600, Respondent is required to obtain ADEC approval to construct and approval to operate a nondomestic wastewater plant prior to discharge.

d. Confidentiality. Information provided or submitted to ADEC pursuant to this Order may be claimed as confidential by Respondent pursuant to 18 AAC 83.165. However, any claim of confidentiality must be asserted by Respondent at the time of submission by stamping the words "confidential business information" on each page containing such information or otherwise it is waived. If no claim is made at the time of submission, ADEC may make the information available to the public without further notice to Respondent. Respondent shall provide additional information as may be requested by ADEC to support any claim of confidentiality.

e. Duty to Mitigate. Respondent must take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment.

f. Proper Operation and Maintenance. Respondent must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by Respondent to achieve compliance with the conditions of this Order.

g. Duty to Provide Information. Respondent shall furnish to ADEC, within the time specified in the request, any information that ADEC may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order, to determine compliance with this Order, and to investigate potential violations of applicable federal and state law related to discharges or other operations at the Facility. Respondent must also furnish to ADEC, upon request, copies of records required to be kept by this Order.

h. Duty to Correct Incorrect Information. If Respondent becomes aware that it submitted incorrect information to ADEC, including but not limited to information contained in any report, notice, plan, or application, it must promptly submit the omitted facts or corrected information to ADEC in writing.

i. Inspection and Entry. Respondent shall allow ADEC, or an authorized representative (including an authorized contractor acting as a representative of ADEC), upon the presentation of credentials and other documents as may be required by law, to:

(1). Enter upon Respondent's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;

(2). Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;



(3). Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

(4). Sample or monitor any substances or parameters at the Facility at reasonable times for the purpose of assuring compliance with this Order or as otherwise authorized under the Clean Water Act, 33 U.S.C. §1251 *et. seq.* or APDES Program.

j. Annual Report. Respondent shall submit an annual report to ADEC for the 2014 calendar year season by no later than February 14, 2015. The report shall contain the information and satisfy the requirements of Part VI.B. of the Seafood General Permit.

9. Special Conditions. In addition to the requirements of the Seafood General Permit, Respondent must comply with the following special conditions. To the extent that any of these special conditions differ from those under the Seafood General Permit, the special conditions of this Order shall apply instead.

a. Best Management Practices Plan. Respondent shall develop and implement a Best Management Practices ("BMP") Plan consistent with the requirements of the Seafood General Permit, including but not limited to, preventing and responding to hydrocarbon and petroleum spills, which must be approved by ADEC. Respondent shall submit its BMP Plan to ADEC within thirty (30) days of the Effective Date of this Order. The BMP Plan must be kept on-site and made available to ADEC upon request.

b. Severed, failed, or leaking outfalls. Discharges from a severed, failed, or leaking outfall are prohibited. Severed, failed, or leaking outfalls must be promptly reported to ADEC in accordance with Part VII.C. of the Seafood General Permit (Twenty-four hour notice of noncompliance reporting and 5-day follow-up written submission).

c. Grinder and waste conveyance system requirements.

(1). Waste discharge system inspection requirements. Respondent shall comply with the Waste Discharge System Inspection Requirements attached hereto as Appendix B. For daily inspection of the grinder and waste conveyance system, Respondent shall use the ADEC form attached hereto as Appendix C - Grinder and Waste Conveyance Inspection Log. All daily grinder inspection logs shall be signed and certified as provided in Paragraph 9.i.

(2). Grind size. All seafood processing waste and concomitant waste at the Facility shall be ground to one-half inch in any dimension or smaller prior to discharge. If the grinder system is not operational, **processing must immediately cease until the grinder system is repaired.** The operator shall use the Grinder and Waste Conveyance Inspection Log attached hereto as Appendix C and the Grind Size Sampling and Analysis Protocol attached hereto as Appendix D. The sample and inspection logs and digital photos shall be submitted to ADEC on a monthly basis, by no later than the 20<sup>th</sup> day of the month following the monitoring month. All logs shall be signed and certified as provided in Paragraph 9.i. Grind Size Sampling



and Analysis Protocol is only required monthly when the Facility is in operation for more than 24 hours during any one month.

d. Sea surface and shoreline monitoring. For sea surface and shoreline monitoring, Respondent shall use the ADEC form attached hereto as Appendix E. Sea surface and shoreline monitoring logs must be submitted with the annual report by February 14th of each year. As specified in AK-G52-0000 Part VI. D.2., the monitoring logs shall identify and determine the numbers of species listed as threatened or endangered under the Endangered Species Act which occur in the vicinity of the effluent plume. Sea surface and shoreline monitoring logs shall be signed and certified as provided in Paragraph 9.i.

e. Outfall Location and Depth Requirement. Respondent has requested a modification to discharge to a stream (AK-G52-0000 Section III.B.1) at reported depth of less than -60 Mean Low Lower Water (MLLW) (AK-G52-0000 Section III.B.3) due to the Facility's discharge location to a shallow tidal river (Naknek River). Respondent has submitted information that shows the area's extreme tidal movements and provided the Facility's proposed discharge rate, diffuser and grind size. Based on the information provided and historical data from other processors in the area that waste residues do not accumulate on the river bottom, ADEC grants your request for modification to discharge in the Naknek River at a depth of -6 MLLW. The Respondent shall remove the outfall and diffuser from the river bed at the end of the processing season.

f. Annual seafloor survey. Respondent has requested a modification of the permit requirement to conduct an annual seafloor/river bed survey (AK-G52-0000 Section VI.C). Respondent has submitted information that shows the outfall will be located in an area of extreme tidal movement and fast moving river currents. With this basis ADEC grants your request for modification to the requirement of having to perform a seafloor survey. A seafloor survey shall not be required.

g. Petroleum and related discharges prohibited. The discharge of petroleum, hydrocarbons, oil, and/or grease at the Facility is prohibited.

h. Signatory and certification requirements. All applications, reports, logs, effluent data, submissions, or other information provided or submitted to ADEC under this section, or otherwise submitted to ADEC pursuant to this Order, must be signed and certified in accordance with 18 AAC 83.385.

#### **IV. EFFECT OF ORDER**

10. Covenant Not to Sue. Provided Respondent fully complies with the terms and conditions of this Order, ADEC shall not institute any legal or other enforcement action against Respondent arising solely from discharging the pollutants authorized by this Order without a permit during the period of authorized discharge.

11. Applicability of Other Laws. Except or unless otherwise provided herein, Respondent remains subject to all other applicable federal, state, and local laws, regulations, and



ordinances, including but not limited to Alaska water quality standards (18 AAC 70).

12. Third Party Rights Not Affected by Order. Respondent acknowledges that this Order does not provide it in any manner with any protection or release of liability from potential citizen suits under Section 505 of the Clean Water Act, 33 U.S.C. § 1365, from any enforcement action or legal proceeding brought by the United States Environmental Protection Agency, the United States, or from any other potential third party claims.

13. Limitations on Effect of Order; No Waiver of Past Violations. Nothing in this Order is intended to waive or release any legal or equitable remedies, or otherwise prevent ADEC from pursuing any legal or enforcement proceeding or action against Respondent or others (1) for any past violations of applicable state and federal law prior to the effective date of this Order, including but not limited to recovery of penalties and damages; or (2) for any violations of the terms and conditions this Order, including but not limited to those required under the Seafood General Permit; and ADEC expressly reserves all rights and legal and equitable remedies relating thereto.

14. Need to Halt or Reduce Activity not a Defense. It shall not be a defense available to Respondent in any enforcement action that it would have been necessary to halt or reduce its operations in order to maintain compliance with this Order.

15. Not a Permit or Modification. This Order is neither a permit nor a modification of an existing permit under any federal, state, or local law, and except as otherwise provided herein, does not in any manner relieve Respondent of its responsibilities to comply with all applicable federal, state, and local laws and regulations.

## V. GENERAL CONDITIONS

16. Costs Incurred by Respondent. All costs incurred by Respondent in carrying out the provisions of this Order shall be borne by Respondent.

17. Breach. Respondent understands that any deviation from the terms, conditions, requirements, or deadlines set forth in this Order may at ADEC's option be deemed a material breach of this Order and may result in prompt legal action to enforce the terms, conditions, and deadlines of this Order, as well as all other applicable legal and regulatory requirements.

18. Department Order. Respondent acknowledges that this Order constitutes a lawful order of ADEC for the purposes of AS Title 46 and AAC Title 18, including but not limited to AS 46.03.760, .765, and .850; and 18 AAC 83 and 95.160, and for all other purposes. Respondent shall not institute any action challenging the validity of this Order or the authority of ADEC to enforce this Order, nor shall Respondent controvert or challenge in any subsequent proceedings initiated by the State of Alaska the validity of this Order or the authority of ADEC to issue and enforce this Order.

19. Waiver of Rights and Procedures. By entering into this Order, Respondent acknowledges that with regard to the matters set forth herein, it is knowingly and voluntarily

waiving the rights and procedures that would otherwise protect it in any formal administrative adjudicatory proceeding or any civil action in a court of law including the right to the filing of a notice of intent, to present evidence and witnesses on its behalf, to cross-examine ADEC's witnesses, to a jury trial, and to administrative and judicial review.

20. Indemnification. Respondent shall hold the State and its representatives, agents, and employees harmless and indemnify and defend the State against all claims, liabilities, losses, damages, and costs awarded or incurred, including attorney fees, and against all actions and claims, whether wrongfully brought or not, including but not limited to third-party claims (i.e., excluding tort claims made by the State and/or any state agency or entity) for injury to or death of persons and loss of or damage to property arising out of or in any manner connected with the incidents which give rise to this Order, except for any claims arising out of the sole negligence of the State.

21. Notices.

a. Methods of delivery of notice. All notices, demands, submissions, applications, reports, logs, effluent data, surveys, or other information which either party is required or desires to give to the other shall be given in writing by any of the following means to the persons identified below:

- (1). personal delivery;
- (2). courier service;
- (3). certified mail, return receipt requested;
- (4). electronic facsimile transmission (i.e., fax); or
- (5). electronic mail (i.e., email).

All notices and demands shall be effective upon receipt by the party to whom notice or a demand is being given.

b. Persons receiving notice. All notices and other communications required under subparagraph a. of this Paragraph shall be given to the following persons, provided that if any party gives notice of a change of name or address, notices to that party shall thereafter be given as demanded in that notice.

To ADEC:

Alaska Department of Environmental Conservation, Division of Water  
Attn: Stephanie J. Mann, Enforcement Officer  
555 Cordova Street  
Anchorage, AK 99501  
Fax: (907) 334-2415



Email: stephanie.mann@alaska.gov

With a copy (notice and demands only) to:

Alaska Department of Law – Environmental Section  
Attn: Steven G. Ross, Assistant Attorney General  
1031 W. 4<sup>th</sup> Avenue, Suite 200  
Anchorage, Alaska 99501-1994  
Fax: (907) 278-7022  
Email: steven.ross@alaska.gov

To Respondent:

Silver Bay Seafoods-Naknek, LLC  
Attn: Kevin Barry  
208 Lake St., Suite 2E  
Sitka, AK 99835  
Fax: (907)-966-3115  
Email: kevin.barry@silverbayseafoods.com

22. Modifications. Any modifications to this Order must be made in writing by ADEC's Director of the Division of Water and the Alaska Department of Law.

23. State not a Party. The State of Alaska shall not be held as a party to any contract entered into by Respondent related to activities conducted pursuant to this Order.

24. Rule of Law/Jurisdiction. This Order shall be governed by and construed in accordance with the laws of the State of Alaska. Jurisdiction for any action arising under this Order shall be the Superior Court for the State of Alaska.

25. Severability. It is the intent of the parties hereto that the terms and conditions of this Order are severable and should any part of it be declared by a court of law to be invalid and unenforceable, the other terms and conditions shall remain in full force and effect.

26. Rules of Construction. Any rule of construction (judicial or otherwise) that a document should be more strictly construed against the drafter thereof shall not apply to any term, condition, or provision herein.

27. Headings. The headings in this Order are for ease of reference only and shall not affect the interpretation of any of the terms and conditions contained herein.

28. No Waiver. A failure by ADEC to enforce any provision of this Order in no way implies a waiver of ADEC's right to insist upon strict performance of the same or other provision in the future.

29. Parties Bound. This Order shall apply and be binding upon Respondent, its agents, successors, and assigns, and upon all persons, contractors and consultants acting on

behalf of Respondent.

30. Other Legal Obligations. The requirements, duties, and obligations set forth in this Order are in addition to any requirements, duties, or obligations contained in any permit which ADEC has issued or may issue to Respondent in the future and are in addition to any requirements, duties, and obligations imposed by state, local, or federal law. Except as expressly provided herein, this Order does not relieve Respondent of the duty to comply with the requirements contained in any such permit or with any applicable federal, state, or local statutes, ordinances, or regulations.

31. Time of the Essence. Time is of the essence as to each and every provision set forth in this Order.

32. Effective Date. The Effective Date of this Order shall be April 15, 2014.

33. Counterparts. This Order may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.

34. Appendices. The following Appendices are attached to and made a part of this Order:

- a. Appendix A - Map/Diagram of Outfall 001;
- b. Appendix B - Waste Discharge System Inspection Requirements;
- c. Appendix C - Grinder and Waste Conveyance Inspection Log;
- d. Appendix D - Grind Size Sampling and Analysis Protocol; and
- e. Appendix E - Sea Surface and Shoreline Monitoring Log.

35. Entire Agreement. This is the entire agreement of the parties. There are no other oral or written understandings or agreements relating to the subject matter of this Order.

**[SIGNATURE PAGES FOLLOW]**



Signature Page for Interim Compliance Order by Consent in:

*In the Matter of the State of Alaska, Department of Environmental Conservation  
v. Silver Bay Seafoods-Naknek, LLC*

DATED: 4-18-14

DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

By:

Michelle Hale

Michelle Hale, Director  
Division of Water

Signature Page for Interim Compliance Order by Consent in:

*In the Matter of the State of Alaska, Department of Environmental Conservation  
v. Silver Bay Seafoods-Naknek, LLC*

DATED: April 21, 2014

MICHAEL C. GERAGHTY  
ATTORNEY GENERAL

By: 

Steven G. Ross  
Assistant Attorney General



Signature Page for Interim Compliance Order by Consent in:

*In the Matter of the State of Alaska, Department of Environmental Conservation  
v. Silver Bay Seafoods-Naknek, LLC*

DATED: 4/16/14

SILVER BAY SEAFOODS-NAKNEK, LLC

By: [Signature]  
DAVID HAMBLETON [Name]  
COO [Title]

**ACKNOWLEDGMENT**

I, DAVID HAMBLETON hereby certify that I hold the position of COO and that I am a responsible official for Silver Bay Seafoods-Naknek, LLC ("Respondent") and that I have the authority to enter into order on behalf of Respondent and to otherwise legally bind Respondent. I hereby acknowledge that I have freely and voluntarily entered into this agreement with the State of Alaska on behalf of Respondent.

SUBSCRIBED AND SWORN to before me this 16 day of April, 2014.

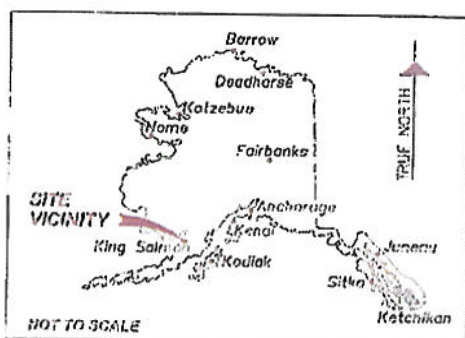


[Signature]  
Notary Public, State of Alaska

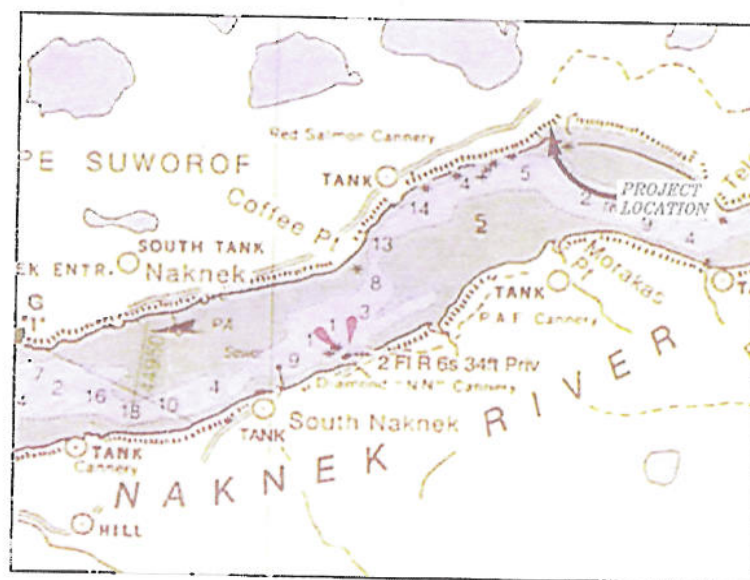
My commission expires: 6/29/16

Seattle, WA


# SILVER BAY SEAFOODS NAKNEK FACILITY FISH PROCESSING WASTE MARINE OUTFALL FORCE MAIN (ADEC REVIEW SET)



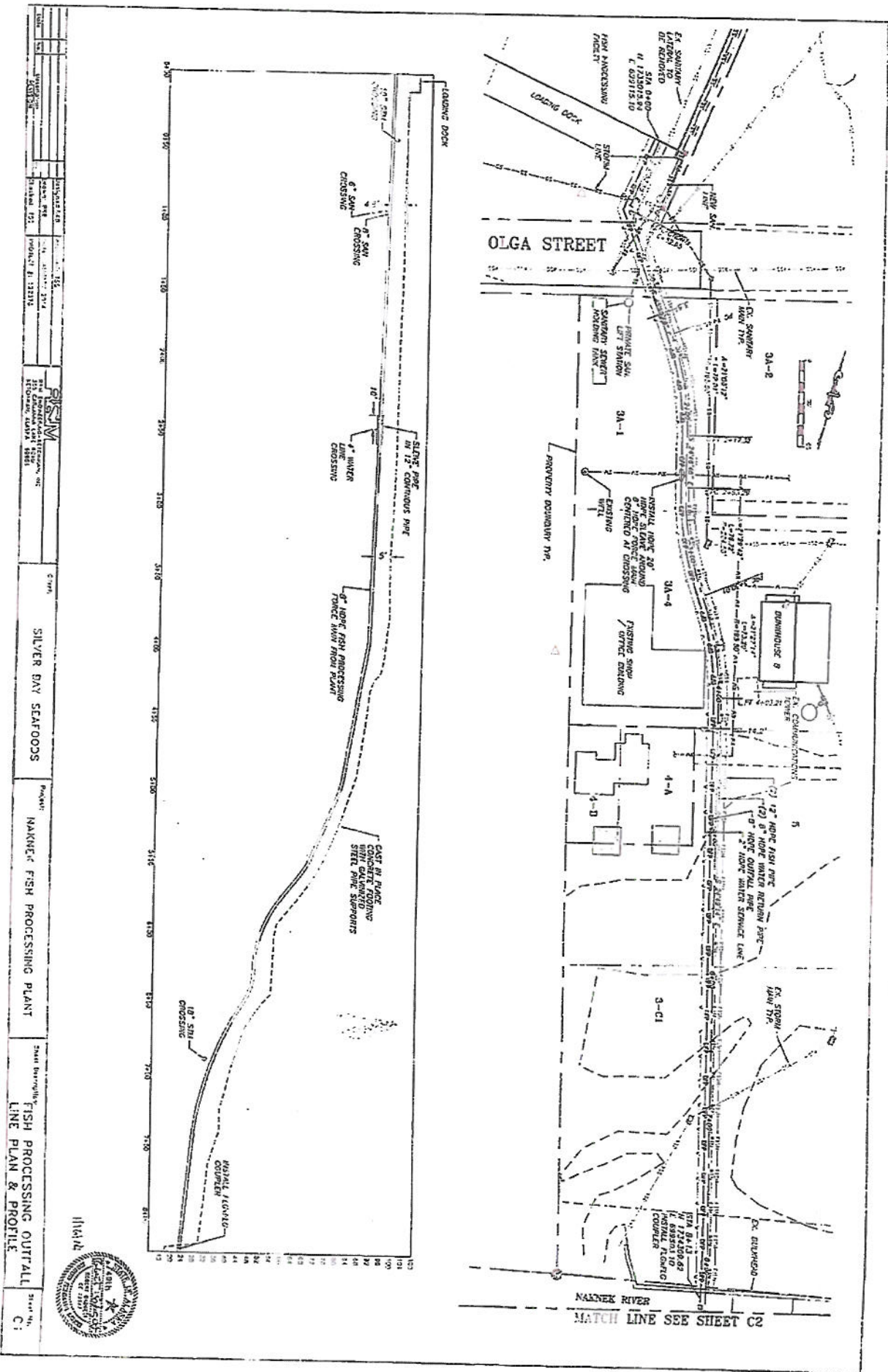
SHEET INDEX	
DRAWINGS	
01	TITLE & VICINITY MAP
02	FISH PROCESSING OUTFALL PLAN AND PROFILE
03	FISH PROCESSING OUTFALL PLAN AND PROFILE
04	STANDARD DETAILS



116114

SHEET NO. 01 PROJECT NO. 122370		 R&M ENGINEERING-GEOTECHNICAL, INC. 105 EASTWING LANE ROAD KETCHIKAN, ALASKA 99901	Project: SILVER BAY SEAFOODS	Facility: NAKNEK FISH PROCESSING PLANT	Sheet Description: FISH PROCESSING OUTFALL VICINITY MAP	Sheet No. G1
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### Waste Discharge System Inspection Requirements

- 1.1.1.1 Waste Conveyance System: The operator must visually inspect the seafood waste conveyance system daily. The discharge of gloves, earplugs, rubber bands, or other equipment used during the processing of seafood that may inadvertently be entrained in the wastewater is prohibited. Logs of daily inspections must be kept at the facility and made available upon request. An example Grinder and Waste Conveyance Inspection Log is provided.
- 1.1.1.2 Grinder System: The operator must inspect the grinder system daily while discharging seafood processing waste. The inspection must include taking a representative sample of the ground waste discharge from a properly sized sample port (two inches or greater) and ensuring that individual pieces of ground seafood waste are less than 1.27 cm (0.5 inch) in any dimension. Community Grinders See **Error! Reference source not found.** for the sampling and analysis protocol to determine grind size compliance. A log of daily inspections must be kept at the facility and made available upon request. An example Grinder and Waste Conveyance Inspection Log is provided.
- 1.1.1.3 Digital Pictures: The operator must take digital pictures of the grinder system in operation while processing is occurring. Pictures must be taken once per month while processing is occurring. One picture must include the sampling port while taking a daily sample and one picture must be taken of a representative ground seafood waste sample from the grinder system. A measuring device, such as a ruler, must be included in the grind size picture for scaling purposes. Pictures must be of sufficient clarity and detail to support the observations and must represent what was observed by the individual performing the inspection. Pictures must have a digital date and time stamp on the picture from cameras with such a function or the legible date and time must be included in the picture with the date and inspection start time.
- 1.1.1.4 Exceedances of the 1.27 cm (0.5 inch) size limit must be reported to with the Annual Report.
- 1.1.1.5 The permittee must submit a report summarizing the inspection information gathered during the calendar year, including certified copies of the daily waste conveyance system inspection logs and the daily grind system inspection logs, to DEC with the Annual Report . Report must be signed by a principal officer or a duly appointed representative of the operator.
- 1.1.1.6 Pictures on a CD or DVD and a picture log shall be submitted with the Annual Report.
- 1.1.1.7 The permittee must submit a report summarizing the amount of seafood processing waste discharged on a daily and annual basis, effluent daily discharge flows, and method of determining flows with the Annual Report.



### Grind Size Sampling and Analysis Protocol

This appendix defines a method for determining if seafood waste has been ground appropriately to meet the 0.5 inch grind in the largest dimension specification. Other methods may be approved on a case-by-case basis. The purpose of the sampling and analysis is to determine compliance with the permit limitation that the operator of a remote seafood processing facility must reduce the size of all solid seafood processing wastes to 1.27 cm (0.5 inch) or smaller in any dimension prior to discharge.

#### Sample Collection:

1. If the main seafood outfall pipe does not have a sample port at least two inch diameter or greater, install an appropriately sized sample port on the underside of the main seafood outfall pipe in a convenient location for collecting discharge samples into a five gallon bucket. The sampling port must have a valve that opens to the full position and does not obstruct the flow.
2. Don latex or nitrile gloves. When the seafood waste treatment grinders are operating and the seafood processing lines are operating at normal to near total capacity, purge the sampling port for 60 seconds into a five gallon bucket or buckets and re-introduce the waste into the waste conveyance system. After purging, collect a five gallon bucket full of seafood processing waste (ground waste and water). For easy handling, a full bucket is defined as between one and two inches from the top or rim.
3. Near a floor drain connected to the waste conveyance system, place two screens on top of a 5 gallon bucket (see the screen specifications in the equipment list). Place the  $\frac{1}{4}$  inch mesh screen on the bucket first and then place the  $\frac{1}{2}$  inch mesh screen on top of the  $\frac{1}{4}$  inch screen. Screens must leave 1.5 inches of space between them to allow for the accumulation of waste passing through the  $\frac{1}{2}$  inch screen.
4. Pour the full five gallons of seafood processing waste through the two screen combination. If small particles are building up in one spot, move to another location on the screen. Add the contents of the  $\frac{1}{2}$  inch screen to the measurement collection beaker. A pair of forceps may be used to help with collection. (see the equipment list). Repeat as necessary.
5. Separate the  $\frac{1}{4}$  inch screen once all of the pieces have passed through the  $\frac{1}{2}$  inch screen and examine any waste that accumulated on the  $\frac{1}{4}$  inch screen. Because seafood waste is pliable, the particles tend to bias toward a smaller size as they fold and fall through the mesh. Once again look through the particles retained on the  $\frac{1}{4}$  inch screen and add those that appear larger than  $\frac{1}{2}$  inch to the collection beaker.
6. Discharge wastewater and the remaining solids that are less than  $\frac{1}{2}$  inch to the waste conveyance system.

#### Sample Analysis

1. Take the sample collection beaker to a well-lit working table, or light box suggested in the equipment list, and measure the greatest dimension of each piece of seafood waste to the nearest  $\frac{1}{16}$  inch.
2. Record the number of seafood waste pieces that exceeded the  $\frac{1}{2}$  inch in the largest dimension on the Grinder and Waste Conveyance Inspection Log (Attachement B). Three columns are specific to the grinder size results and must be filled out for each day's data. Use NA for the columns that do not apply. Complete all the columns in the inspection log each day.

3. Once a month photographic records must be collected. See the permit for the detailed data collection requirements (Part 2.1.1.2.1.3). Input unique picture numbers into the inspection log to document the photographic record.

Equipment List ([VWR Catalog Table of Contents](#))

1. Five gallon buckets (quantity two).
2. Forceps (VWR part no. 82027-398)
3. Latex or Nitrile gloves (VWR part no. 89038-274)
4. Two Classifier-screen sieves,  $\frac{1}{2}$  inch and  $\frac{1}{4}$  inch mesh for use with a standard five gallon bucket, see website [http://www.akmining.com/cart/classifiers\\_and\\_screens.htm](http://www.akmining.com/cart/classifiers_and_screens.htm) for examples of acceptable classifier screens.
5. Light box (optional VWR part no. 47751-118)





## GRINDER AND WASTE CONVEYANCE INSPECTION LOG

**For the grinder system inspection:** Conduct a daily inspection of the grinder system during the processing season to confirm that grinders are operating and reducing the size of seafood waste to 0.5 inches or smaller in any dimension. If not, report the percentage that does not meet 0.5 inch and include the length of the largest piece.

**For the waste conveyance system inspection:** Conduct a daily visual inspection of the waste conveyance system, including the sump or other places of effluent collection for removal of gloves, earplugs, rubber bands or other items that may be entrained in the wastewater. Discharge of such items is prohibited.

AKG52 _____	GRINDER SYSTEM		WASTE CONVEYANCE SYSTEM
DATE/TIME/INITIALS	Grinders Operating Y/N	Size reduced to 0.5 inch or smaller? Y/N	Report observations on foreign objects found and disposal location.

Name, Initials, Signature of Observer #1: \_\_\_\_\_

Name, Initials, Signature of Observer #2: \_\_\_\_\_

Name, Initials, Signature of Observer #3: \_\_\_\_\_

Name, Initials, Signature of Observer #4: \_\_\_\_\_

Comments

SEA SURFACE AND SHORELINE MONITORING LOGS FOR  
FOR ADAD COD COOPERATIVE, LLC, ADAK, AK  
(Attach additional pages if necessary)

Printed name and phone number of Observer(s): \_\_\_\_\_

Signature of Observer(s): \_\_\_\_\_

For Sea Surface Monitoring: Daily monitoring shall record the total number of days for which observations were made. For each day of observation, the daily incidence of occurrence and estimate of any areal extent of contiguous films, sheens or mats of foam within 100 foot radius of the end of the outfall, and within 100 feet of the seaward physical boundary of the facility.

For Shoreline Monitoring: Monitoring the shoreline shall record the total number of days for which observations were made and for each day of observation, the incidence of occurrence and estimated areal extent of any deposits of seafood waste sludge, solids or emulsions upon the shoreline, and adjacent to and within 300 feet of the facility.

Sea Surface Monitoring Log				Shoreline Monitoring Log
Observation Date/Time/Tide Cycle	100 ft. radius around outfall	Within 100 ft. of seaward physical boundary of the facility (docks and piers)	Occurrence and numbers of Steller's sea lions, Steller's eider, spectacled eider, and short-tailed albatross	Observations upon the shoreline, including under the facility, adjacent to and within 300 feet of the facility.